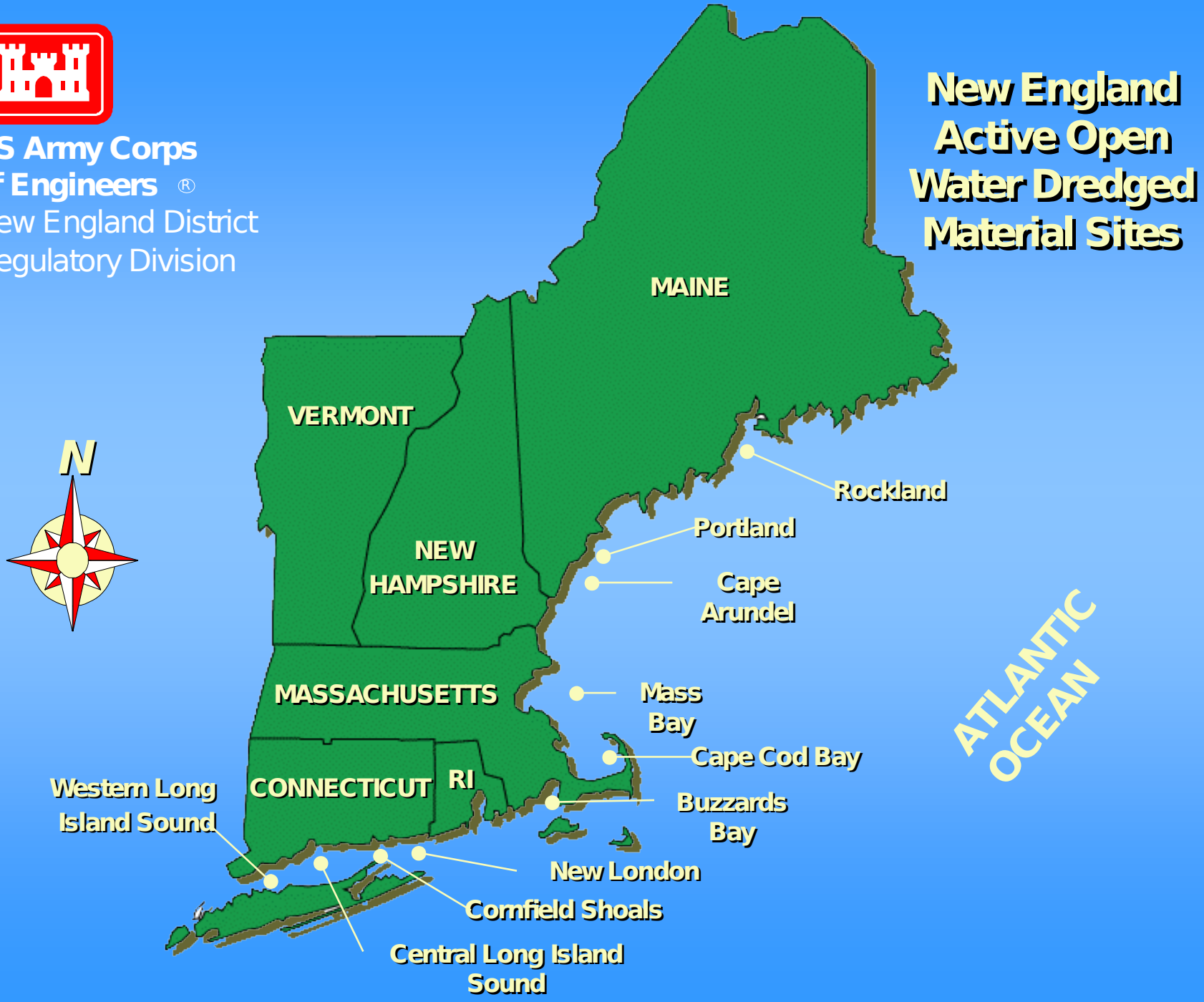
CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
REGULATORY PROGRAM

US Army Corps of Engineers ®
New England District
Regulatory Division

New England Active Open Water Dredged Material Sites



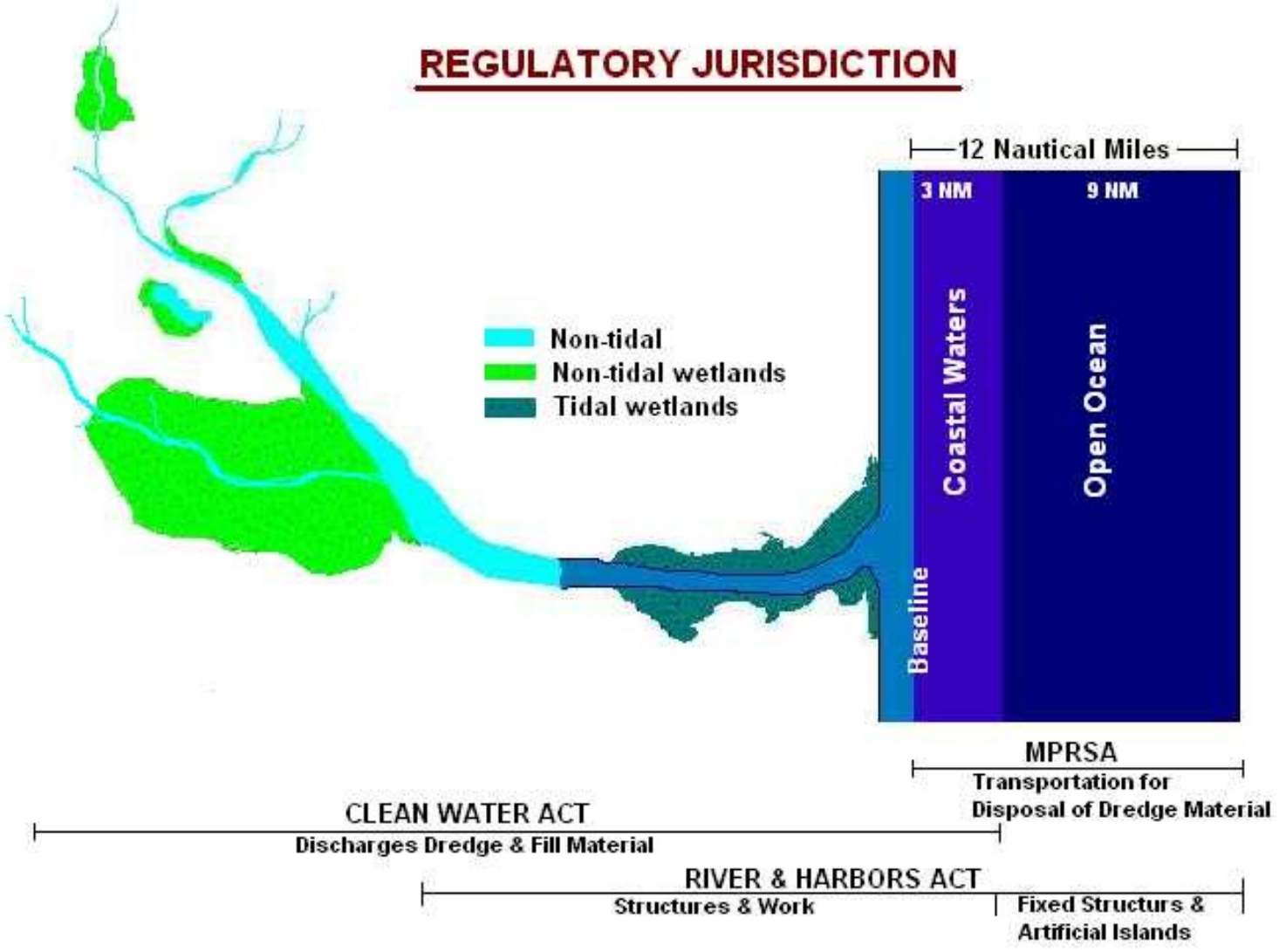
Permit Authorities

- **SECTION 10 - RIVERS AND HARBORS ACT OF 1899**
  - Regulate work and structures in, over, or under or affecting navigable waters of the U.S. Jurisdiction waterward of mean high water (MHW) line.

- **SECTION 404 - CLEAN WATER ACT OF 1972**
  - Regulate discharge of dredged and fill material in waters of the U.S. Jurisdiction waterward of ordinary high water, high tide line (HTL) in coastal waters.

- **SECTION 103 - MARINE PROTECTION, RESEARCH AND SANCTUARIES ACT (Ocean Dumping Act)**
  - Regulate transportation of dredged material for disposal in the ocean. Jurisdiction waterward of mean low water (MLW) line.

REGULATORY JURISDICTION



NEW ENGLAND DISTRICT

INDIVIDUAL PERMITS

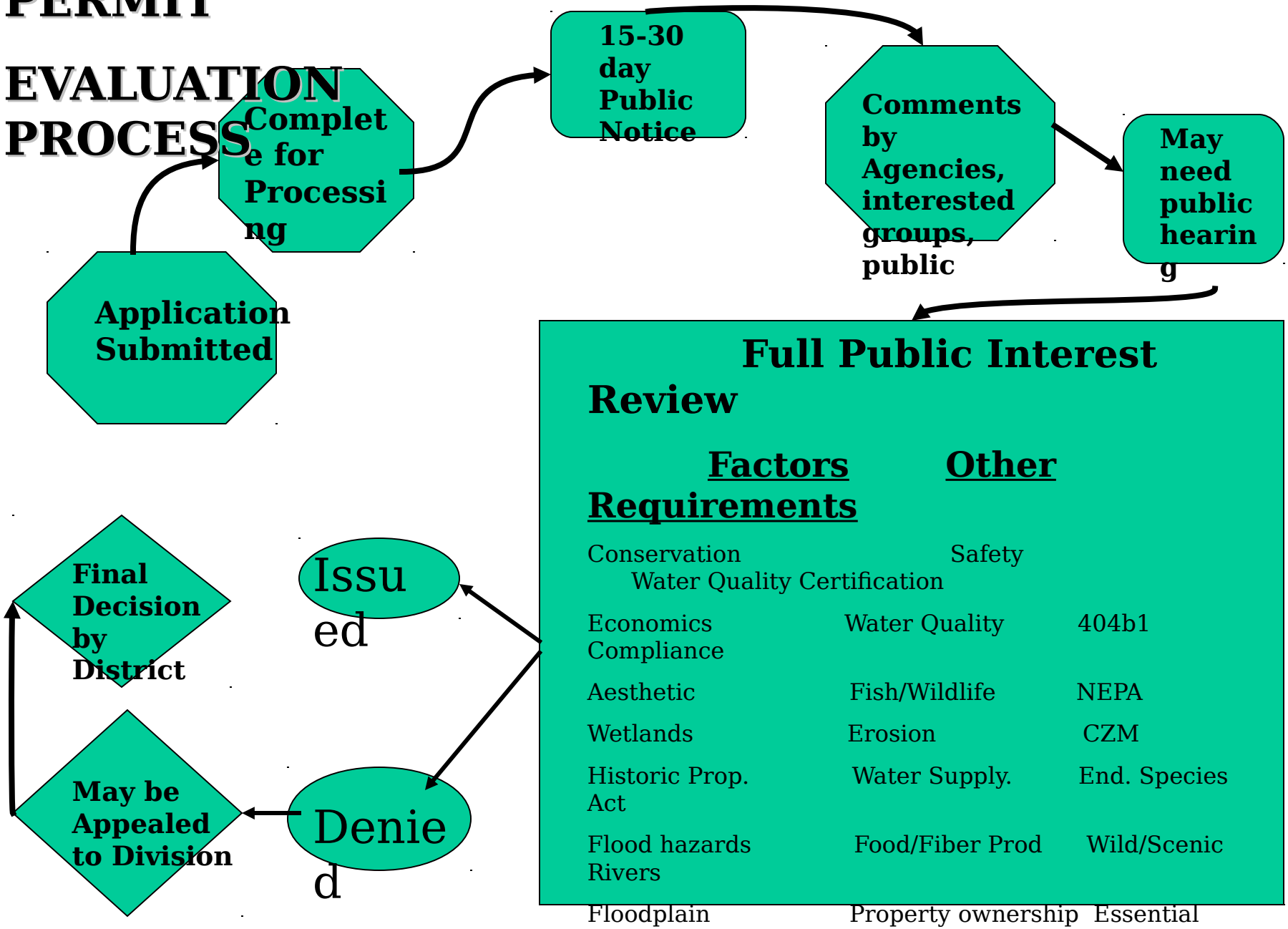
TYPES OF PERMITS

Individual Permits (IP's) - 75/Year

- 15 or 30-day Public Notice and Alternatives Analysis
- Processing time:
  - 120-day goal
  - may take up to one year depending on project complexity
- Corps encourages applicant to utilize concurrent processing
- ~10 IP's issued/year for dredging
- Wetland fills over specified acreage

INDIVIDUAL PERMIT

EVALUATION PROCESS



NEW ENGLAND DISTRICT GENERAL PERMITS

TYPES OF PERMITS

Programmatic General Permits (PGPs) – 6000/Year

- One for each New England state
- Tailored to each state - simple and predictable
- Partner with Federal and State agencies
- Minimal Impact Projects
- Expedited process
  - 60-day goal
  - often issue permit w/in 30 days from complete application
- Corps encourages applicant to utilize concurrent processing

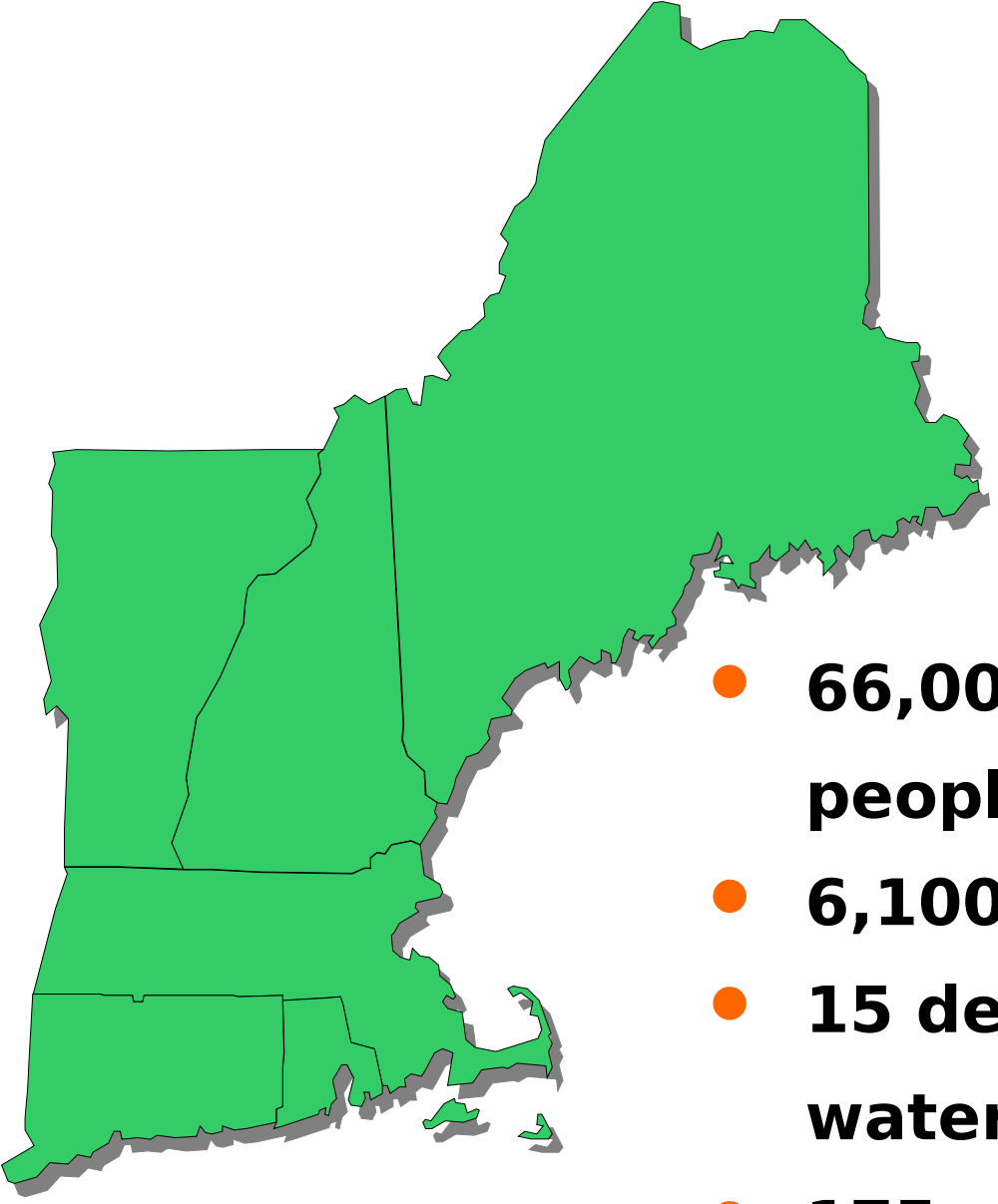
PREDICTABILITY

- **Impact Categories**
  - **Category I = Non-Reporting to Corps**
  - **Category II = Screened w/State + Feds**

BENEFITS OF SPGP

- **Simplification**
- **Predictability**
- **Efficiency**
- **Environmental Protection**

80



New England

- 66,000 sq. miles; 13 million people
- 6,100 miles of coastline
- 15 deep draft commercial waterways
- 175 small harbors
- Commercial Navigation - 80 million tons of goods shipped